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6
7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

9 DAVID M. PROVENZA, an individual,
10
11 Plaintiff,

12 v.

13 NYE COUNTY, NEVADA on relation of the
14 NYE COUNTY SHERIFF'S OFFICE, a
political subdivision of the State of Nevada;
and JASON RUESCH, in his individual
15 capacity,
16 Defendants.

CASE NO. 2:25-cv-00173-ART-NJK

**DISCOVERY PLAN AND SCHEDULING
ORDER**

**SUBMITTED IN COMPLIANCE
WITH LR 26-1(b)**

17 The parties held a scheduling conference under Federal Rule of Civil Procedure 26(f) on
18 March 24, 2025. The parties now submit their proposed discovery plan and scheduling order in
19 compliance with LR 26-1(b). Initial disclosures deadline: April 7, 2025

- 20 1. Discovery Cut-Off Date. The Defendants answered or otherwise appeared on March 6, 2025.
The discovery cut-off date is **September 8, 2025**.
- 21 2. Amending the Pleadings and Adding Parties. The deadline to amend the pleadings and add
22 parties is **June 9, 2025**.
- 23 3. Expert and Rebuttal-Expert Disclosures. The deadline to disclose experts is **July 9, 2025**.
24 The deadline to disclose rebuttal experts is **August 8, 2025**.
- 25 4. Dispositive Motions. The deadline to file dispositive motions is **October 8, 2025**.
- 26 5. Pretrial Order. The deadline to file a pretrial order is **November 7, 2025**.
- 27 6. Fed. R. Civ. P. 26(a)(3) Disclosures. The disclosures required by this rule and any objections
28

1 to them must be included in the joint pretrial order.

- 2 7. Alternative Dispute Resolution. The parties certify that they met and conferred about the
3 possibility of using alternative dispute-resolution processes including mediation, arbitration,
4 and if applicable, early neutral evaluation. None will be scheduled until discovery is closed.
- 5 8. Alternative Forms of Case Disposition. The parties certify that they considered consent to
6 trial by a magistrate judge under 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73 and the use of
7 the Short Trial Program (General Order 2013-01). They do not consent to do so at this time
8 but may reconsider in the future.
- 9 9. Electronic Evidence. The parties certify that they discussed whether to present evidence in
10 electronic format to jurors for the purpose of jury deliberations and they agree to do so. The
11 parties stipulate to providing exhibits and discovery in an electronic format compatible with
12 the court's electronic jury evidence display system.

13 **IT IS SO STIPULATED AND AGREED.**

14 Dated this 2nd day of April, 2025.

Dated this 2nd day of April, 2025.

15 **BREEDEN & ASSOCIATES, PLLC**

MARQUIS AURBACH CHTD.

16 */s/ Adam J. Breeden*

/s/ Brian R. Hardy

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24 **IT IS SO ORDERED**

25 
26 Nancy J. Koppe
United States Magistrate Judge

27 **DATED:** April 3, 2025
28